

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS

Eastern Division

In Re:

Andrzej Powroznik,

Debtor(s)

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BK No.: 22-07859

Chapter: 7

Honorable A. Benjamin Goldgar

Lake County

ORDER CONSTRUING MOTION FOR CIVIL CONTEMPT AS MOTION TO COMPEL AND GRANTING MOTION

This matter coming before the court on the motion of Jeff Gerlick to have Andrzej Powroznik and Barbara Powroznik held in civil contempt, due notice having been given, the court having considered the response to the motion and the reply (but not Gerlick's "supplement," a surreply filed without leave of court), and the court having reviewed the entire record in this matter, for the reasons stated on the record IT IS HEREBY ORDERED:

1. The motion is construed as a motion to compel compliance with the subpoenas directed to the Powrozniks and is granted.
2. The Powrozniks must produce all requested documents in their possession, custody, or control no later than June 6, 2023. Production must comply with Rule 45(e)(1) of the Federal Rules of Civil Procedure.
3. No later than June 6, 2023, Andrzej and Barbara Powroznik must each file with the court and serve on Gerlick's counsel a separate written response to the subpoena. The response must bear a case caption, must be signed, and must list each document request and state whether documents have been produced in accordance with each request.
4. If there are no responsive documents in the respondent's possession, custody, or control, the response must state as much. Stating that no documents are "available" is insufficient. No objections may be made to any of the requests because all objections have been waived.
5. No later than June 6, 2023, Andrzej and Barbara Powroznik must each execute, file with the court, and serve on Gerlick's counsel an affidavit stating that the document production is complete, and there are no other documents in their possession, custody, or control to be produced.
6. No later than June 16, 2023, Andrzej and Barbara Powroznik must each appear for their Rule 2004 examination.

Enter:



Honorable A. Benjamin Goldgar
United States Bankruptcy Judge

Dated: May 23, 2023